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ZAKAAH.

(1) Zakaah is Fardh.

Zakaah is one of the five pillars of Islaam. The command to pay zakaah has been mentioned 32 times in the Quraan alongside the command to perform salaah. On it=s own, without salaah, zakaah has been commanded innumerable times in the Qur'aan. Therefore, it is obligatory to believe that zakaah is Fardh. It is also imperative that people upon whom zakaah is Fardh, learn the injunctions and rulings pertaining to zakaah.

(2) The Objectives of Zakaah.

1. Just as a person expresses his devotion and dependence on Allaah by means of his body (when he performs Ruku, Sajdah, etc in salaah,) he expresses that all his wealth belongs to Allaah when he pays zakaah (which is a monetary form of worship). He should be convinced that he will attain Allaah=s pleasure and mercy by sacrificing this wealth.
2. The second objective of zakaah is to assist and be of service to one=s poor, destitute and troubled Muslim brothers. By this token, zakaah becomes an important part of good character.
3. The third objective of zakaah is to eradicate the love of this world from a person=s heart, which is an extremely destructive spiritual disease. Zakaah facilitates the distribution of wealth so that everything does not stagnate amongst one class of individuals.

(3) Those who Reject Zakaah.

The person who rejects the belief of zakaah is a kaafir. The ummah and all the Islaamic jurists are unanimous about the above. Such people are totally excluded from the fold of Islaam.

(4) The Benefits of Zakaah.

The greatest benefit of zakaah is that poor Muslims are assisted. It fosters human compassion, which is the greatest trait of human nature. Payment of zakaah also promotes the perfection of good character. Just as an abundance of wealth leads the affluent to such grave sins like oppression, over-indulgence and murder, the lack of wealth also prompts the poor to grave sins, like stealing, gambling, robbing, adultery, etc. By paying zakaah, both types of sins may be eliminated from society.
Another benefit is that zakaah averts calamities and catastrophes. A person=s wealth is also blessed when he pays zakaah.

(5) The Virtues of Zakaah.

- Rasulullaah (sallAllaahu-alayhi-wa-sallam) said, AAllaah has ordained zakaah so that the remaining wealth is cleansed and purified.@ [Mishkaat]
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) has also mentioned, AProtect your wealth from impurity and destruction by means of zakaah. Cure your sick by means of Sadaqah, and avert calamities by means of du=aa.@
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) has said, AZakaah is a bridge of Islaam.@ It is that bridge that leads to Allaah=s pleasure, as well as to the inner reality of Islaam.
- Hadhrat Shaqeeq Balkhi (R.A) stated, AWe searched for five things and found them in five places:
  - We found blessings of sustenance in Duha (Chaast) salaah.
  - We found light of the grave in Tahajjud salaah.
  - We found the reply to Munkar and Nakeer in the recitation of the Qur'aan.
  - We found an easy passage over the bridge of Siraat in fasting and sadaqah.
  - We found the shade of Allaah=s throne in being alone.@
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) said, AThe evil of wealth is eliminated when a person pays zakaah therefrom.@ There will no longer be danger in the wealth, which will protect a person from punishment in the Hereafter.
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) said, AProtect your wealth by means of zakaah. Cure your sick by means of Sadaqah, and avert calamities by means of du=aa and humility before Allaah. A
- Nabi (sallAllaahu-alayhi-wa-sallam) said, AThe perfection of Islaam lies in paying the zakaah of one=s wealth.@
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) said that the person who does the following three actions will taste the sweetness of Imaan:
  1. Worship Allaah only.
  2. Know well that only Allaah is worthy of worship.
  3. Pay zakaah with a happy heart every year;@ i.e. not regarding it as a burden. When paying the zakaah of animals, do not give animals that are weak or of an inferior quality. Give animals that are of an average quality. Allaah does not require your best wealth, but has also not asked for inferior wealth.

(6) The Warnings for not Paying Zakaah.

- Allaah mentions in the Qur'aan that the wealth of those who fail to pay zakaah will be heated in the fire of Jahannam. Thereafter it will be used to brand their foreheads, their backs, and their sides.
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) has mentioned in a Hadith that when a person does not pay zakaah after Allaah had granted him wealth, his wealth will be transformed into a bald snake, which will be thrown over his neck. The snake will have two black spots above it=s eyes. It will grab hold of the person by his jaws and say, AI am you wealth! I am your treasures!@ In this manner, it will continue to punish him.
- There are people who amass their wealth in banks without paying zakaah. With regard to such people, Nabi (sallAllaahu-alayhi-wa-sallam) mentioned, AThe worst of people is him who harms his Hereafter to profit the worldly prosperity of others.@
- Hadhrat Abdullaah bin Mas'ood (R.A) has mentioned, AAllaah has commanded the establishment of salaah together with the payment of zakaah. Therefore, if a person does not pay his zakaah, his salaah will also not be accepted.@ Although his obligation will be discharged, he will not receive any reward for the Fardh salaah.
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) has mentioned that Allaah will afflict a nation with drought if they do not pay zakaah. This drought will be such that it will not be averted by any government and their thousands of schemes.
- Rasulullaah (sallAllaahu-alayhi-wa-sallam) said, AWhen wealth is destroyed anywhere on land or at sea, it is on account of withholding zakaah.@

- Rasulullaah (sallAllaahu-alayhi-wa-sallam) said in another hadith, AWhen zakaah is mixed with any wealth (by a person withholding his zakaah himself, or by a person claiming to be needy of zakaah when he is not), it will not leave that wealth (remaining) without first destroying it.@

(7) Warnings for Women who do not pay Zakaah on their Jewellery.

Hadhrat Asmaa (R.A) narrates that Rasulullaah (sallAllaahu-alayhi-wa-sallam) said, AOn the Day of Qiyaamah, a necklace of fire will be cast upon the neck of a woman who wears a gold necklace (without paying zakaah for it). Similarly earrings of fire will be pierced through a woman=s ear when she wears gold earrings (without paying the zakaah thereof).@

Hadhrat Asmaa (R.A) reports that her aunt and herself once appeared before Rasulullaah (sallAllaahu-alayhi-wa-sallam) wearing gold bangles. Rasulullaah (sallAllaahu-alayhi-wa-sallam) asked, AHave you paid the zakaah for these bangles?@ When they replied in the negative, Rasulullaah (sallAllaahu-alayhi-wa-sallam) said, AAre you not afraid that Allaah will make you wear bangles of fire on the Day of Qiyaamah? Pay the zakaah thereof.@

It is therefore necessary that women who own gold and silver jewellery should make inquiries from the Ulema and pay their zakaah annually. Otherwise, the same jewellery will become a flame, which will chastise their bodies.

(8) On Whom is Zakaah Obligatory ?

- Zakaah is obligatory upon a Muslim.
- Zakaah is obligatory on a mature person, and not on an immature person.
- Zakaah is obligatory on a sane person, and not on an insane person.
- Zakaah is obligatory on a free person, and not on a slave.
- Zakaah is obligatory on a person who is aware of it=s obligation.
- Zakaah is obligatory on a person who is in possession of Nisaab for an entire lunar year, for which he still has possession of Nisaab (he has to possess the Nisaab at the beginning and at the end of the year).
- His debts should not be so much that they leave him with less than the Nisaab.
- Zakaah is not paid on one=s domestic necessities, like his house (be it his own, or which he rents), his clothing, his means of transport (car, scooter, etc), household furniture, household goods, tools or machines for one=s profession, and the purchase price of rented cars.
- Zakaah will have to be paid for rentals earned or received.
- While zakaah does not have to be paid on machines for use, it will be due upon the income received from rented machines.
- Zakaah will be due on cash, whether it is in one=s possession, or in the possession of a trustee.
- The zakaah on a pawned article will neither be payable by the person pawning the article (the owner), nor by the pawnbroker. The pawnbroker, even though he has custody of the article, does not become the owner. He will therefore not be responsible for paying zakaah. While the person who pawned the article remains the owner, he will also not be liable to pay zakaah because he is not in possession of the article.
- Similarly, if something is recovered after being lost for some time, the owner will not have to pay zakaah for the years during which it was lost. This is because the owner did not have possession of the article during this period.
- The same will apply if a person buried some wealth or left it in trust with someone, and then forgot where it was buried or, with whom it was placed in

trust. He/she will not be liable to pay zakaah for the period wherein the article was inaccessible.

(9) On what will Zakaah have to be Paid ?

Zakaah will have to be paid on:

- Gold ; - Silver ; - Cash in any currency; - Stock in trade.
- Stock shares. ;
- Rentals received from the letting of houses, shops, cars, machinery, etc. There will be no zakaah on the capital value of rented houses, cars, etc. Zakaah will only be due on the rental and income derived therefrom.
- If properties and cars are for sale, zakaah will have to be calculated on the market value of these commodities.
- Since Ushr or Kharaj is payable on crops, no zakaah will be

due after the Ushr or Kharaaj has been paid.

It is compulsory to have the intention of paying zakaah when doing so. It is not necessary to verbally state this intention.

When zakaah is being distributed to people, it is good for the distributor to make it clear to the recipients that the money is zakaah. This will ensure that only worthy people receive the money.

If Zakaat is given to a close relative (eg, brother, sister etc.) who may receive Zakaat and if one is sure of their status than it is not necessary to say that it is Zakaat.

(10) On What amount will Zakaah be Payable ?

⇨ **a.)** The current Nisaab of silver is 612.35 g.

⇨ **b.)** The current Nisaab of gold is 87.479 g.

(i.e. If a person ownes either A or B above he is said to be in possession of Nisaab and will not be entitled to receive Zakaat.)

- **c.)** If a person has gold and silver, the combined value of which is equal to the value of 612,35g of silver (the Nisaab for silver), then this person will be regarded as being in possession of Nisaab.

- **d.)** If a person has cash to the value of 612.35g of silver (or more), he will be liable to pay zakaah on this money, if he had it in his possession for a lunar year. The same will apply if rental from one=s house, truck, etc equals the above Nisaab. If the person is in possession of such wealth throughout the year, zakaah will be due from him. Of course, the person should not have debts, which, if deducted, will reduce the value of the person=s wealth to less than that of Nisaab.

(11) How much Zakaah is Obligatory ?

Zakaah should be calculated at 2,5% of the market value of one=s gold, silver, goods, etc. For example, a person with stock in trade worth R100,000 will pay R2,500 in zakaah. If any excess wealth was accrued during the year, it will be included in the amount reflected at the end of the year. It will not be necessary to calculate it separately.

(12) Who are the Worthy Recipients of Zakaah ?

- A person will be deserving of zakaah when he/she is a poor Muslim who does not possess wealth equal to or more than 612.35g of silver, or he/she does not possess gold and silver to the combined value of 612.35g of silver.
- Zakaah may also be given to indebted people who do not possess wealth equal to the Nisaab of silver.
- Zakaah may be given to free slaves.
- Zakaah may be given to poor students of Deen. In this manner, a person will also receive the reward of assisting the propagation of Deen.

(13) When should Zakaah be Paid ?

Zakaah should only be paid once a year. By lunar estimation, the year has approximately 354 days. Once the lunar year has elapsed, the person in possession of Nisaab should pay 2.5% of his/her wealth. A person may pay his/her zakaah on any date of any one of the twelve Islaamic months he/she chooses. Zakaah will then be obligatory upon the same month every year.

(14) Circumstances when Zakaah will not be discharged.

Zakaah will not be discharged when it is given:

1. To non-Muslims. 2. To Muslims who are in possession of Nisaab. 3. To Shias. 4. To Qaadiaanis. 5. Towards the construction of a Masjid. 6. Towards the construction of a Madrassah, an inn for travellers, a school, and Eid Gaah, a place of worship, an orphanage, etc.
7. To the parents, grandparents, children, grandchildren or great grandchildren of the giver.
8. To one=s spouse (husband or wife), even though the spouse may be deserving of zakaah.
9. To anyone even if it be a widow who possesses Nisaab.
10. For a factory to aid the poor.
11. To pay any government taxes.
12. To Sayyids [the family of Rasulullaah (sallAllaahu-alayhi-wa-sallam)].
13. To a person whose father is a Sayyid, even though his mother is not a Sayyid.
14. To a Sayyid, by another Sayyid.
15. To an indebted Sayyid. To pay for any official penalty.
16. As a bribe. 17. To build a library or purchase books for any library.
18. In the form of cooked food, which is fed to deserving people after gathering them for a meal. Zakaah will be discharged if the food is bought with zakaah

money, cooked, and then taken to the homes of deserving Muslims. In this way, these people are made owners of the food

19. To an Imaam, Mu=adhin, teacher, or another employee as wages or salaries.
20. To a person who is in possession of Nisaab, when he is travelling with the Tabligh Jamaa=ah.
21. Towards the building of public toilets, or any other facility by which the public will benefit.
22. Zakaah will not be discharged by writing off the debt of a deserving person. However, zakaah will be discharged if the sum of money is given to the indebted person (making him the owner thereof), whereafter he returns the money to the giver as repayment of his debt.
23. Zakaah will also not be discharged by paying legal fees, criminal penalties, lawyer=s fees or school fees.
24. Zakaah will not be discharged by purchasing furniture for a Masjid, Madrassah, orphanage or library. It will also not be discharged by paying the light accounts of such places.

(15) Laws pertaining to the Zakaah of Certain Present- Day Situations.

- ❖ When shares are bought for resale, zakaah will be Waajib on the price of the shares. When calculating the zakaah, the prevailing value of the share will be taken into consideration.
- ❖ If the shares are of a company that engages in trade, zakaah will be due on the value of the share, as well as on the profits of the share. However, if the shares are of a hiring company, zakaah will not be due on the value of the shares, irrespective of whether the company hires out vehicles, houses, business premises, hotels, etc. In such a case Zakaah will only be obligatory on the profits accrued from the rentals.
- ❖ Zakaah will not be due on gold and silver that is fixed into the body in such a manner that it cannot be easily removed, e.g. gold teeth. However, zakaah will be due if the limb is easily removable.
- ❖ If hens are reared on a poultry farm with the intention of selling the eggs and the baby chicks, zakaah will not be due on the value of the hens. Zakaah will only be obligatory on the eggs and chickens sold, if their value equals or exceeds the Nisaab. There will be no zakaah due on the premises where the fowls are reared.
- ❖ If fish are kept in a pond, zakaah will only be due on the profits derived from them. No zakaah will be due on the value of the pond.
- ❖ No zakaah will be due on a state or non-state pension for the years prior to receiving the pension.
- ❖ Zakaah will be due on money saved in a bank, irrespective of how the money is earned.
- ❖ Zakaah cannot be paid as commission to people who collect donations. The sum of zakaah given as commission will not be discharged.
- ❖ Zakaah may be given to Islaamic Madrassahs. The additional reward of spreading Islaam will also be earned thereby.

May Allaah grant us the guidance and ability to practice. Aameen.

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Al - Hidaayah

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Simple table for Zakaat calculation

1.	Cash on hand	R ________
CASH IN:		
2.	bank / savings / fixed	R ________
3.	Stock in trade	R ________
4.	Gold / silver / jewellery	R ________
5.	Debtors	R ________
6.	Income of properties	R ________
7.	Shares (ruling price)	R ________
8.	Goods in transit (if already paid for)	R ________
9.	Claims (acknowledged)	R ________
10.	Sundry outstanding	R ________
	TOTAL	R ________
Less creditors		R ________
Total Zakaatable amount		R ________
Zakaat at 2.5% of the above		R ________

Consult an Alim for further details and queries.

May the Creator grant us the ability to practice our deen.

A.H. Elias (Mufti)

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